IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 283 of 2007()

Crime No.366/06 of Nadakkavu Police Station, Kozhikode

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: PETITIONER/ACCUSED NO.3

SAJITH, S/O.VASUDEVAN,
AGED 19 YEARS, EDALAMPURATHIL PARAMBA,
VALAYANAD AMSOM DESOM, KOZHIKODE TALUK.

BY ADV. SRI.K.K.JAYARAJ NAMBIAR

RESPONDENTS: COMPLAINANT AND STATE

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1. SUB INSPECTOR OF POLICE,
NADAKKAVU POLICE STATION, KOZHIKODE.

2. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.283 of 2007

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Dated this the 18th day of January, 2007.

ORDER

Petitioner, who is the third accused in Crime No.366 of 2006 of Nadakkavu Police Station, Kozhikode for an offence punishable under Section 379 read with Section 34 I.P.C. for having allegedly committed theft of a generator from a Homeo Clinic some time in May, 2006, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Since the co-accused in the case was found involved in another crime, in order to avoid the antecedents, if any, of the petitioner not coming to light, I am of the view that he should surrender before the Investigating Officer for interrogation and thereafter his application for regular bail should be directed to be considered by the Magistrate concerned expeditiously. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 19.1.2007 and 23.1.2007 for the purpose of interrogation. The petitioner shall thereafter be produced before the Magistrate having jurisdiction on the same date. The Magistrate shall

consider and dispose of the bail application, if any, filed by the petitioner preferably on the same date on which it is filed.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

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